

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ADRIAN TL JOHNSON,

Plaintiff

v.

SGT. BERNDT, *et al.*,

Defendants.

Case No. 2:20-cv-00150-JAD-EJY

**ORDER**

Pending before the Court is the Motion to Stay Discovery filed by Las Vegas Metropolitan Police Department. ECF No. 38. LVMPD explains that on August 2, 2021, Plaintiff communicated with Defendants by letter informing defense counsel that Plaintiff was being transferred to a mental health facility for six months. *Id.* at 3; ECF No. 38-1. In his letter, Plaintiff requested “leave from the pending matter ... until [his] return to ... CCDC.” ECF No. 38-1. LVMPD seeks a stay of discovery consistent with Plaintiff’s inability to participate in this matter at least during the near future.

The Court has inherent power to manage proceedings by ordering a stay of discovery. *Bacon v. Reyes*, Case No. 2:12-cv-01222-JCM, 2013 WL 5522263, at \*5 (D. Nev. Oct. 3, 2013). Plaintiff’s inability to participate in the present litigation during the period of his stay at a mental health facility supports LVMPD’s request and warrants the stay requested.

Accordingly, IT IS HEREBY ORDERED that the Motion to Stay Discovery (ECF No. 38) is GRANTED.

IT IS FURTHER ORDERED that Las Vegas Metropolitan Police Department shall actively monitor the Nevada Department of Corrections’ “inmate search” database for purposes of tracking Plaintiff’s location and shall file a Notice with the Court within 14 days of Plaintiff’s return to CCDC or other facility that will allow Plaintiff’s participation in this lawsuit.

1 IT IS FURTHER ORDERED that if the stay of discovery has not been lifted before, Las  
2 Vegas Metropolitan Police Department shall file a Status Report no later than March 28, 2022  
3 advising the Court of Plaintiff's location.

4 IT IS FURTHER ORDERED that based on Plaintiff's inability to participate in this lawsuit  
5 due to his move to a mental health facility, Plaintiff's Motion for Response of Notice of Summons  
6 (ECF No. 35) is DENIED without prejudice and with leave to renew.

7 Dated this 27th day of September, 2021.

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9 ELAYNA J. YOUCHAK  
10 UNITED STATES MAGISTRATE JUDGE  
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